IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL CASE NO. 1:10cv222-RJC

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THIS MATTER is before the Court pursuant to Rules 4 and 5 of the Rules Governing § 2254 Cases in the United States District Courts. 28 U.S.C.A. foll. § 2254. Petitioner filed a Petition for Writ of Habeas Corpus in this Court on October 5, 2010. (Doc. No. 1). The Court has conducted an initial review of the Petition, and it does not "plainly appear[]" that Petitioner is not entitled to relief. Rule 4, 28 U.S.C.A. foll. § 2254.

IT IS, THEREFORE, ORDERED that on or before 40 days from entry of this Order, Respondent shall file an Answer to the Petition.

IT IS FURTHER ORDERED that, in addition to the documents mandated by Rule 5 of the Rules Governing § 2254 Cases, Respondent shall file with the Answer copies of all relevant state court transcripts (pretrial, trial, sentencing, and post-conviction).

Signed: January 10, 2011

Robert J. Conrad, Jr.

Chief United States District Judge